RETURN TO:
BRIDGFORTH & BUNTIN
P. O. FOX 241
SOUTHAVEN, MS 38671
393-4450

PERMANENT SANITARY SEWER AND TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

This Agreement is made and entered into by and between William E. Gerber ("Grantor") and the City of Hernando, Mississippi, its agents, contractors, and permitees ("Grantee").

WITNESSETH:

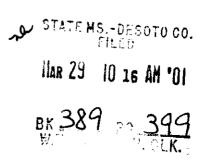
WHEREAS, Grantor is the owner of certain property in DeSoto County, Mississippi, lying north of certain property owned by The Lakes of Cedar Grove Owners Association and DeSoto Venture, LLC.

WHEREAS, incident to the development of the said property of permittee of Grantee, Grantee desires to have a sanitary sewer installed on the common boundary line of Grantor and Grantee; and

WHEREAS, Grantor has agreed to grant to Grantee a permanent sanitary sewer and a temporary construction easement over and upon a portion of it aforesaid property for the purposes hereinafter indicated;

NOW, THEREFORE, the premises considered, the parties agree as follows:

- 1. Grantor does hereby grant and convey unto the Grantee a permanent sanitary sewer easement over and upon that property of Grantor described by metes and bounds on Exhibit A hereto, and a temporary construction easement as depicted on Exhibit B hereto.
- 2. Grantee and its agents and contractors, and their respective employees and affiliated persons, shall have the right to perform the work described herein. Grantee and the persons aforesaid shall have the right to use the said temporary easement for the purpose of allowing equipment and machinery the necessary access to perform the aforesaid work.
- 3. The temporary construction easement shall terminate upon the final completion of all stages of repair and improvements to the aforesaid property of Grantee.



IN WITNESS WHEREOF, the instrument on this the Ac day of	re Grantor and Grantee have executed this warely, 2001.
	GRANTOR: Selliaiu Sarlie William E. Gerber
	GRANTEE:
	City of Hernando, By Its Agent, DeSoto Venture, LLC Le Cell John A. DeCell, Chief Member
STATE OF <u>Jernessee</u> COUNTY OF <u>Shelly</u>	
State and County aforesaid, the within na	the undersigned Notary Public, in and for the imed William E. Gerber, who acknowledged that strument on the day and year therein mentioned
	s26th day of march, 2001. Notary Public
My Commission Expires August 10, 2004	

SMITH ENG.

TFL:6623930714

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SMITH ENGINEERING & SURVEYING

891 RASCO ROAD EAST SOUTHAVEN, MISSISSIPPI 38671

LAND SURVEY - LAND DEVELOPMENT - ROADS - SEWER SYSTEMS - WATER SYSTEMS - SITE DESIGN - CONSTRUCTION

DEN SMITH, P.E., R.L.S. PRESIDENT

(601) 393-3346 FAX (001) 383-0714

PERMANENT SANITARY SEWER EASEMENT

LEGAL DESCRIPTION OF A PERMANENT SANITARY SEWER EASEMENT, BEING LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 7 WEST, CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING SOUTH 82 DEGREES 24 MINUTES 23 SECONDS WEST 1,274.82 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 7 WEST, CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI; THENCE SOUTH 82 DEGREES 24 MINUTES 23 SECONDS WEST 429.24 FEET ALONG THE SOUTH LINE OF THE WILLIAM E. GERBER TRACT TO A POINT; THENCE NORTH 66 DEGREES 12 MINUTES 11 SECONDS WEST 173.29 FEET TO A POINT; THENCE NORTH 23 DEGREES 47 MINUTES 49 SECONDS EAST 15:00 FEET TO A POINT; THENCE SOUTH 66 DEGREES 12 MINUTES 11 SECONDS EAST 183.47 FLET TO A POINT; THENCE NORTH 82 DEGREES 24 MINUTES 23 SECONDS EAST 415.23 FEET TO A POINT; THENCE SOUTH 07 DEGREES 35 MINUTES 37 SECONDS EAST 7.50 FEET TO A POINT; THENCE SOUTH 82 DEGREES 24 MINUTES 23 SECONDS WEST 2.50 FEET TO THE POINT OF BEGINNING, BEING SUBJECT TO ALL CODES, RULES AND REGULATIONS, SUBDIVISION COVENANTS, EASEMENTS AND RIGHT OF WAYS OF RECORD.

PERM-LGL slr 3/08/01

> Mar 08'01 15:42 No.006 P.02

DATE: MARCH 2001

(862) 363 - 3346 FAX (862) 363 - 0714 PERMANENT SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT

THE LAKES OF CEDAR GROVE

HERNANDO, MISSISSIPPI

SCALE: 1-50